



JTM

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number 10/765,430
	Filing Date January 26, 2004
	First Named Inventor Guillermo J. Tearney
	Art Unit 3737
	Examiner Name To be assigned
	Attorney Docket Number 036140/US - 475387-00020

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> PTO-1449 form with references and return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	June 19, 2006	Reg. No.	Reg. No. 40,479

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gary Abelev, Esq.	Date	June 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



036140/US - 475387-00020 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney(s) : Guillermo J. Tearney et al.

Serial No. : 10/765,430

Filed : January 26, 2004

Entitled : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING
LOW-COHERENCE INTERFEROMETRY

Group Art Unit : 3737

Examiner : To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S.
mail addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on this day of June 19, 2006.

(Signature)

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449, and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT, foreign and non-patent references are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under

United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This submission is being filed before any action by the U.S. Patent and Trademark Office on the merits. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 50-2054.

Respectfully submitted,

DORSEY & WHITNEY, LLP



Gary Abelev
PTO Reg. No. 40,479
Attorneys for Applicants
(212) 415-9371

4848-5070-3104\1

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
036140/US - 475387-00020

Serial No.
10/765,430

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(Use several sheets if necessary)



Applicant(s)
Guillermo J. Tearney

Filing Date
January 26, 2004

Group
3737

U.S. PATENT DOCUMENTS

*Exam. Init.		Document No.							Date	Name	Class	Subclass	Filing Date if Appropriate
	2002	0	1	2	2	2	4	6	September 5, 2002	Tearney et al. **			
		6	6	8	7	0	1	0	February 2004	Horii et al.			
		4	5	8	5	3	4	9	April 29, 1986	Gross et al.			
		5	8	1	7	1	4	4	October 6, 1998	Gregory			
		5	8	4	3	0	0	0	December 1, 1998	Nishioka et al.			
		6	0	5	3	6	1	3	April 25, 2000	Wei et al.			
		6	0	0	4	3	1	4	December 21,	Wei et al.			
		4	2	9	5	7	3	8	October 20, 1981	Meltz et al. **			
		4	3	0	0	8	1	6	November 17,	Snitzer et al. **			
		4	7	7	0	4	9	2	September 13, 1988	Levin et al. **			

FOREIGN PATENT DOCUMENT

		Document No.							Date	Country	Class	SubClass	Translator Yes No
		0	2	3	8	0	4	0	May 16, 2002	WIPO**			
		1	4	2	6	7	9	9	June 9, 2004	European **			
	1	9	5	4	2	9	5	5	May 22, 1997	Germany **			
	0	3	0	6	2	8	0	2	July 31, 2003	WIPO**			
		9	5	3	3	9	7	1	December 14, 1995	WIPO**			

** References cited in International Search Report

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

International Written Opinion for International Patent application No. PCT/US2005/043951.

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office		Atty. Docket No. 036140/US - 475387-00020	Serial No. 10/765,430
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant(s) Guillermo J. Tearney	
		Filing Date January 26, 2004	Group 3737

		International Search Report for International Patent application No. PCT/US2005/043951.
		Erdelyi et al. "Generation of diffraction-free beams for applications in optical microlithography", J. Vac. Sci. Technol. B 15 (12), Mar/Apr 1997, Pages 287-292.
		International Search Report for International Patent application No. PCT/US2005/023664.
		International Written Opinion for International Patent application No. PCT/US2005/023664.
		Tearney et al., "Spectrally encoded miniature endoscopy" Optical Society of America; Optical Letters Vol. 27, No. 6, March 15, 2002; pages 412-414
		Yelin et al., "Double-clad Fiber for Endoscopy" Optical Society of America; Optical Letters Vol. 29, No. 20, October 16, 2005; pages 2408-2410
		International Search Report for International Patent application No. PCT/US2001/049704.
		International Search Report for International Patent application No. PCT/US2004/039454.
		International Written Opinion for International Patent application No. PCT/US2004/039454.
		PCT International Preliminary Report on Patentability for International Application No. PCT/US2004/038404 dated June 2, 2006

4825-6817-8945\1

Examiner	Date Considered
----------	-----------------

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.